

REMARKS

Applicants apologize for any misunderstanding for which they have been responsible. The original filing of this application was accompanied by a preliminary amendment of certain claims 1-17. These claims did *not* correspond to the same claims 1-18 which were originally filed in the international stage of prosecution. The restriction requirement, however, was based on international stage claims 1-18, which were not pursued (or intended to be pursued) in the present national stage prosecution. To clarify the situation, "claims 1-18," as somehow entered into the present prosecution, were canceled, and the intended claims 1-17 were reintroduced as new claims 19-35.

The examiner's grouping of claims included a Group I, consisting of "claims 1-12," as understood by the examiner, and characterized as being drawn to a selective binding partner for 5-HT<sub>5</sub> receptors. In addition to claims to a binding partner, however, Group I also included claims drawn to a process for using the binding partners to treat cerebrovascular diseases ("claims 10-12"). In contrast, the intended claims 1-17 were drawn to processes for identifying these binding partners and processes for treating cerebrovascular diseases using these binding partners, *i.e.*, part of Group I, and including Group IV in its entirety. Election of Group I as defined by the examiner, coupled with introduction of the intended claims 1-17, was, admittedly, a bit unclear. Again, applicants apologize for any misunderstanding.

As present claims 19-35 reflect the intended claims 1-17, and as these claims cover two related processes, applicants respectfully submit that examination of these

together would not present an undue burden on the examiner. Should the examiner conclude otherwise, applicants respectfully elect, with traverse, that portion of Group I representing the method of treating cerebrovascular diseases using a 5-HT5-receptor binding partner, namely, present claims 29-35. Traversal of this requirement is based on the shared special technical features of binding affinity for 5-HT5-receptors, and treatment of cerebrovascular diseases.

In view of the foregoing amendments and remarks, applicants consider that the rejections of record have been obviated and respectfully solicit passage of the application to issue.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,  
KEIL & WEINKAUF



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